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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/433,497	11/03/1999	THIRU SRINIVASAN	1613(42059-0	2641
20350	7590	12/01/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			FERRIS, DERRICK W	
			ART UNIT	PAPER NUMBER
			2663	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/433,497

Applicant(s)

SRINIVASAN, THIRU

Examiner

Derrick W. Ferris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-30, 32, 33 and 42-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-30, 32-33, and 42-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/3/1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/16/2004 has been entered.

Response to Amendment

2. **Claims 28-30, 32-33, and 42-60** as amended are still in consideration for this application.

3. Examiner **withdraws** the obviousness rejection to *Nadeau* in view of *Smyk* and *White* and in further view of *Horror* for Office action filed 03/25/2004 due to applicant's 1.131 affidavit. As a result, please see the new obviousness rejection below.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 28-30, 32, and 33** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For claim 28, the term "the communication server" on line 3 lacks proper antecedent basis. Claims 29, 30, 32, and 33 are rejected for depending on the rejected parent claim.

Claim Rejections - 35 USC § 103

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 28-30, 32, 33, and 42-60** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,161,128 A to *Smyk* in view of U.S. Patent No. 6,185,565 B1 to *Meubus et al.* ("*Meubus*"), and U.S. Patent No. 6,163,605 A to *Horrer et al.* ("*Horrer*").

As such to **claim 28**, *Smyk* discloses in figure 2 a network server/communicating server as an Internet gateway 203 which is connected to a data network, e.g., Internet 202. The Internet gateway 203 is further configured to communicate with a service control point 205 in a telephone network, see e.g., figure 3.

Smyk is silent or deficient to the further limitations a subscriber profile database accessible by the SCP so as to provide telephonic routing information *in response to* a detected incoming telephone call to any of the plurality of destination addresses selected by the subscriber and at least one interactive screen display presentable to system users accessing the network server over the data network wherein the interactive displays are configured such that the system users may establish routing instructions for one or more routing addresses on at least one of: *date and time of day* of a connection is attempted *with any* of the plurality of destination addresses..

Meubus teaches the further recited limitation above with respect to date and time of day routing at e.g., column 7, lines 20-27. *Horrer* teaches the further recited limitation above with respect to a plurality of addresses at e.g., column 2, lines 5-10 and column 3,

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lines 57-67 (also see figure 2). *Meubus* also teaches the further recited limitation above with respect to a subscriber database accessible by the SCP (e.g., the PSTN SLA 130) at e.g., column 2, lines 43-59 (i.e., see the Service Logic Controller 106).

The proposed modification of the above-applied reference(s) necessary to arrive at the claimed subject matter would be to modify *Smyk* by teaching that date/time call forwarding is well known in the art, that a plurality of addresses are used with respect to call forwarding, and that a subscriber database is accessible to the SCP via the data network (i.e., Internet).

As such, examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include the limitations mentioned above. In particular, the motivation for modifying the reference or to combine the reference teachings with respect to date and time of day routing would be to provide additional features with respect to call forwarding for date and time of day a connection is attempted for the purpose or motivation of scheduling. In particular, *Meubus* cures the above-cited deficiency by providing a motivation found at e.g., column 7, lines 9-29. In addition, the motivation for modifying the reference or to combine the reference teachings for a plurality of addresses would be to motivated to represent a plurality of destination addresses with a single routing address for the purpose of eliminating the need for the user having to recall all the called parties addresses. In particular, *Horrer* teaches the above motivation at e.g., column 1, lines 53-54. Examiner furthermore notes a reasonable expectation level of success since the destination addresses can be grouped by the system (e.g., see column 2, lines 5-8). In addition, the motivation for modifying the

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reference or to combine the reference teachings for a subscriber profile database accessible by the SCP so as to provide telephonic routing information in response to a detected any of a plurality of destination addresses would be to motivated to call someone on an IP network. *Meubus* teaches the above motivation at e.g., a shown in figure 1. In particular, *Smyk* and *Horrer*, teach modifying the database at the SCP (i.e., PSTN SLA). *Smyk* and *Horrer* are not clear on how the information in the SCP is used in routing a call. *Smyk* and *Horrer* also do not teach routing a call over an IP network such as the Internet. *Meubus* teaches both using an SCP to route the call and routing and call over the Internet. In particular, *Meubus* teaches in routing a call the SLC includes a user profile that contains information on how a call should be routed, see e.g., column 2, lines 1-57. One skilled in the art would be motivated to make the above modification in order to increase reach-ability using disparate networks such as the Internet or a mobile network. In particular, *Meubus* teaches the above motivation e.g., column 1, lines 31-35. Examiner furthermore notes a reasonable expectation of success since *Meubus* discloses both that the SLC is updated over the Internet and that the SLAs (i.e., SCP) transfers or updates the SLC, see e.g., column 3, lines 1-25. Thus examiner notes that the updated information transferred to the SCP as taught by *Smyk* and *Horrer* is also transferred and used by the SLC as taught by *Meubus*.

As to **claim 29**, *Smyk* disclose using web browsers, see e.g., *Smyk* column 5, lines 47-63.

As to **claims 30 and 33**, *Horrer* teaches that a RN is based on the syntax of the RN, see e.g., column 6, lines 15-29. In addition, *Meubus* teaches using various numbers

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e.g., in column 2, lines 42-59. *Smyk* further teaches updating information via a web browser.

As to **claim 32**, see at least column 3, lines 45-52 of *Smyk*.

As to **claims 42-43**, see the rejection for claim 28. In particular, note that *Meubus* teaches using the SCP 130 to contact the SLC 106 through the PSTN gateway 126 for routing, see e.g., abstract and column 2, lines 43-57.

As to **claim 44**, *Smyk* and *Meubus* both teach using the Internet, see e.g., figure 2 of *Smyk* and figure 1 of *Meubus*.

As to **claim 45**, *Meubus* teaches time/day routing, see e.g., column 2, lines 42-54, and column 7, lines 9-32

As to **claims 46**, see the rejection for claim 30.

As to **claims 47 and 48**, see the rejection for claim 45.

As to **claims 49**, see e.g., column 6, lines 35-67 where location is based on the information provided in the cited passage.

As to **claim 50**, see column 3, lines 9-24 of *Meubus*. *Smyk* further teaches that the profiles are accessed via a web browser.

As to **claims 51**, see the rejection for claim 28.

As to **claims 52**, see the rejection for claim 44.

As to **claims 53**, see the rejection for claim 43.

As to **claims 54**, see the rejection for claim 42.

As to **claims 55**, see the rejection for claim 46.

As to **claims 56**, see the rejection for claim 49.

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As to **claims 57**, see the rejection for claim 28. In addition, *Smyk* teaches that the web server has built-in security support, see e.g., column 6, lines 1-7 such that that database is accessible to authorized subscribers.

As to **claims 58-60**, see similar rejection to claim 28 in addition to claim 43.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (571) 272-3123. The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Derrick W. Ferris
Examiner
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DWF 


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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 11/26/08